

[First Reprint]
SENATE, No. 2576

STATE OF NEW JERSEY
214th LEGISLATURE

INTRODUCED DECEMBER 20, 2010

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Wisniewski

SYNOPSIS

Prohibits drilling technique of hydraulic fracturing.

CURRENT VERSION OF TEXT

As amended on January 9, 2012 by the Senate pursuant to the Governor's recommendations.

(Sponsorship Updated As Of: 6/30/2011)

1 AN ACT concerning certain drilling techniques and supplementing
2 P.L.1985, c.432 (C.13:1M-1 et seq.).

3
4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6
7 ¹[1. The Legislature finds and declares that the practice of the
8 drilling technique of hydraulic fracturing for natural gas exploration
9 and production has been found to use a variety of contaminating
10 chemicals and materials that can suddenly and in an uncontrolled
11 manner be introduced into the surface waters and ground water of
12 the State; that the companies engaging in the use of this drilling
13 technique have been less than forthcoming in revealing the
14 “cocktail” of chemicals and their volume that can be introduced into
15 these waters; that in June 2010, there occurred an incident of an
16 uncontrolled release of many gallons of contaminated water and
17 natural gas from a hydraulic fracturing drill site in Clearfield
18 County, Pennsylvania, and other such accidents are likely to occur;
19 and that other states, including New Jersey’s neighbor, New York,
20 are considering banning the drilling technique.

21 The Legislature therefore determines it is prudent and in the best
22 interest of the people of the State of New Jersey to prohibit
23 hydraulic fracturing in the State for the purpose of natural gas
24 exploration or production.]¹

25
26 ¹1. The Legislature finds and declares that the process of
27 hydraulic fracturing for natural gas exploration and production has
28 been found to use and release a variety of chemicals and materials
29 that, if introduced into the air, surface waters, or ground water of
30 the State, raise concerns about potential contamination and
31 pollution.

32 Hydraulic fracturing is not occurring and is unlikely to occur in
33 New Jersey in the foreseeable future. Nevertheless, the Legislature
34 determines that it is prudent and in the best interest of the people of
35 the State of New Jersey to declare a moratorium on hydraulic
36 fracturing in New Jersey in order to conduct an investigation into
37 whether hydraulic fracturing could have or is likely to have an
38 adverse impact on air and water quality in this State.¹

39
40 2. a. No person may use the drilling technique known as
41 hydraulic fracturing in the State for the purpose of natural gas
42 exploration or production ¹for a period of 12 months from the
43 effective date of this act¹.

EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Senate amendments adopted in accordance with Governor's recommendations January 9, 2012.

- 1 b. 'The Department of Environmental Protection shall conduct
2 an investigation into whether hydraulic fracturing could have or is
3 likely to have an adverse impact on air and water quality in this
4 State and report its findings to the Governor and the Legislature.
- 5 c.¹ As used in this act, “hydraulic fracturing” means the drilling
6 technique of expanding existing fractures or creating new fractures
7 in rock by injecting water, often with chemicals, sand, or other
8 substances, and often under pressure, into or underneath the surface
9 of the rock for purposes including, but not necessarily limited to,
10 well drilling and natural gas exploration and production. The term
11 “hydraulic fracturing” shall include “fracking,” “hydrofracking,”
12 “hydrofracturing,” and other colloquial terms for this drilling
13 technique.
- 14
- 15 3. This act shall take effect immediately.